

# EXHIBIT A

In the Superior Court of the State of Arizona  
In and For the County of Maricopa

Case Number CV2019-008829

**CIVIL COVER SHEET- NEW FILING ONLY**  
(Please Type or Print)

Plaintiff's Attorney Sara Siesco

Attorney Bar Number 027803

Is Interpreter Needed? ☐ Yes ☒ No

If yes, what language(s):  
\_\_\_\_\_  
\_\_\_\_\_

Plaintiff's Name(s): (List all)	Plaintiff's Address:	Phone #:	Email Address:
Robert Griffith	8927 E. Carlton Avenue Mesa, AZ 85208	480-635-6980	rg09051983@gmail.com

(List additional Plaintiffs on page two and/or attach a separate sheet).

Defendant's Name(s): (List All)  
Target Stores, Inc., a Minnesota corporation

(List additional Defendants on page two and/or attach a separate sheet)

**RULE 26.2 DISCOVERY TIER OR MONETARY RELIEF CLAIMED:**

**IMPORTANT:** Any case category that has an asterisk (\*) **MUST** have a dollar amount claimed or Tier selected. State the monetary amount in controversy or place an "X" next to the discovery tier to which the pleadings allege the case would belong under Rule 26.2.

☐ Amount Claimed \$ \_\_\_\_\_ ☐ Tier 1 ☒ Tier 2 ☐ Tier 3

**NATURE OF ACTION**

Place an "X" next to the one case category that most accurately describes your primary case. Any case category that has an asterisk (\*) **MUST** have a dollar amount claimed or Tier selected as indicated above.

**100 TORT MOTOR VEHICLE:**

☐ 101 Non-Death/Personal Injury\*

☐ 102 Property Damage\*

☐ 103 Wrongful Death\*

**110 TORT NON-MOTOR VEHICLE:**

- ☐ 111 Negligence\*
- ☐ 112 Product Liability – Asbestos\*
- ☐ 112 Product Liability – Tobacco\*
- ☐ 112 Product Liability – Toxic/Other\*
- ☐ 113 Intentional Tort\*
- ☐ 114 Property Damage\*
- ☐ 115 Legal Malpractice\*
- ☐ 115 Malpractice – Other professional\*
- ☒ 117 Premises Liability\*
- ☐ 118 Slander/Libel/Defamation\*
- ☐ 116 Other (Specify) \_\_\_\_\_ \*

**120 MEDICAL MALPRACTICE:**

- ☐ 121 Physician M.D.\*      ☐ 123 Hospital\*
- ☐ 122 Physician D.O.\*      ☐ 124 Other\*

**130 & 197 CONTRACTS:**

- ☐ 131 Account (Open or Stated)\*
- ☐ 132 Promissory Note\*
- ☐ 133 Foreclosure\*
- ☐ 138 Buyer-Plaintiff\*
- ☐ 139 Fraud\*
- ☐ 134 Other Contract (i.e. Breach of Contract)\*
- ☐ 135 Excess Proceeds-Sale\*
- ☐ Construction Defects (Residential/Commercial)\*
- ☐ 136 Six to Nineteen Structures\*
- ☐ 137 Twenty or More Structures\*
- ☐ 197 Credit Card Debt (Maricopa County Only)\*

**150-199 OTHER CIVIL CASE TYPES:**

- ☐ 156 Eminent Domain/Condemnation\*
- ☐ 151 Eviction Actions (Forcible and Special Detainers)\*
- ☐ 152 Change of Name
- ☐ 153 Transcript of Judgment
- ☐ 154 Foreign Judgment

- ☐ 158 Quiet Title\*
- ☐ 160 Forfeiture\*
- ☐ 175 Election Challenge
- ☐ 179 NCC-Employer Sanction Action (A.R.S. §23-212)
- ☐ 180 Injunction against Workplace Harassment
- ☐ 181 Injunction against Harassment
- ☐ 182 Civil Penalty
- ☐ 186 Water Rights (Not General Stream Adjudication)\*
- ☐ 187 Real Property \*
- ☐ Special Action against Lower Courts  
(See Lower Court Appeal cover sheet in Maricopa)
- ☐ 194 Immigration Enforcement Challenge  
(A.R.S. §§1-501, 1-502, 11-1051)

**150-199 UNCLASSIFIED CIVIL:**

- ☐ Administrative Review  
(See Lower Court Appeal cover sheet in Maricopa)
- ☐ 150 Tax Appeal  
(All other tax matters must be filed in the AZ Tax Court)
- ☐ 155 Declaratory Judgment
- ☐ 157 Habeas Corpus
- ☐ 184 Landlord Tenant Dispute – Other\*
- ☐ 190 Declaration of Factual Innocence (A.R.S. §12-771)
- ☐ 191 Declaration of Factual Improper Party Status
- ☐ 193 Vulnerable Adult (A.R.S. §46-451)\*
- ☐ 165 Tribal Judgment
- ☐ 167 Structured Settlement (A.R.S. §12-2901)
- ☐ 169 Attorney Conservatorships (State Bar)
- ☐ 170 Unauthorized Practice of Law (State Bar)
- ☐ 171 Out-of-State Deposition for Foreign Jurisdiction
- ☐ 172 Secure Attendance of Prisoner
- ☐ 173 Assurance of Discontinuance
- ☐ 174 In-State Deposition for Foreign Jurisdiction
- ☐ 176 Eminent Domain– Light Rail Only\*
- ☐ 177 Interpleader– Automobile Only\*
- ☐ 178 Delayed Birth Certificate (A.R.S. §36-333.03)
- ☐ 183 Employment Dispute- Discrimination\*

☐ 185 Employment Dispute-Other\*☐ 163 Other\* \_\_\_\_\_☐ 196 Verified Rule 45.2 Petition

(Specify)

☐ 195(a) Amendment of Marriage License☐ 195(b) Amendment of Birth Certificate**EMERGENCY ORDER SOUGHT**☐ Temporary Restraining Order☐ Provisional Remedy☐ OSC☐ Election Challenge☐ Employer Sanction☐ Other (Specify) \_\_\_\_\_**COMMERCIAL COURT (Maricopa County Only)**

☐ This case is eligible for the Commercial Court under Rule 8.1, and Plaintiff requests assignment of this case to the Commercial Court. More information on the Commercial Court, including the most recent forms, are available on the Court's website at:

<https://www.superiorcourt.maricopa.gov/commercial-court/>.

**Additional Plaintiff(s):**


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**Additional Defendant(s):**


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1/27  
9:40

Sara A. Siesco (027803)  
Adrienne R. Jones (033184)  
JONES | RACZKOWSKI PC  
2141 East Camelback Road, Suite 100  
Phoenix, Arizona 85016-4723  
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Attorneys for Plaintiff

**SUPERIOR COURT OF ARIZONA, MARICOPA COUNTY**

Robert Griffith, a single man;

Plaintiff;

v.

Target Stores, Inc., a Minnesota  
corporation;

Defendant.

NO.

CV2019-008829

**SUMMONS**

If you would like legal advice from a lawyer,  
contact the Lawyer Referral Service at  
602-257-4434

or

[www.maricopalawyers.org](http://www.maricopalawyers.org)

Sponsored by the

Maricopa County Bar Association

**TO DEFENDANT(S): Target Stores, Inc.**

You are hereby summoned and required to appear and defend in the above entitled action in the above entitled court within TWENTY DAYS exclusive of the day of service after service of this summons upon you if served within the State of Arizona, and within THIRTY DAYS exclusive of the day of service if served without the State of Arizona, and you are hereby notified that in case you fail so to do, judgment by default will be rendered against you for the relief demanded in the complaint.

Requests for reasonable accommodation for persons with disabilities must be made to the division assigned to the case by party needing accommodation or his/her counsel at least THREE (3) JUDICIAL DAYS in advance of a scheduled court proceeding. Requests for an interpreter for persons with limited English proficiency must be made to the division assigned to the case by the party needing

1 the interpreter and/or translator or his/her counsel at least TEN (10) JUDICIAL  
2 DAYS in advance of a scheduled court proceeding.

3 The name and address of the attorneys for the Plaintiff is:

4 Sara Siesco  
5 Adrienne R. Jones  
6 JONES|RACZKOWSKI PC  
7 2141 East Camelback Road, Suite 100  
8 Phoenix, Arizona 85016-4723

9 GIVEN UNDER MY HAND and the seal of the Superior Court of the State of  
10 Arizona in and for said County this date:

11 JEFF FINE

12 Clerk of the Superior Court



13 By \_\_\_\_\_

14 Deputy Clerk

**COPY**

SEP - 4 2019

CLERK OF THE SUPERIOR COURT  
K. NORTON  
DEPUTY CLERK

Sara A. Siesco (027803)  
Adrienne R. Jones (033184)  
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[ajones@azpremiseslaw.com](mailto:ajones@azpremiseslaw.com)

Attorneys for Plaintiff

**COPY**



SEP - 4 2019

CLERK OF THE SUPERIOR COURT  
K. MONTON  
DEPUTY CLERK

**SUPERIOR COURT OF ARIZONA, MARICOPA COUNTY**

Robert Griffith, a single man;

Plaintiff;

v.

Target Stores, Inc., a Minnesota  
corporation;

Defendant.

NO.

COMPLAINT

CV2019-008829

(Tort; Non-Motor Vehicle)

Plaintiff Robert Griffith alleges:

1. Plaintiff Robert Griffith is a resident of Maricopa County, Arizona.
2. Defendant Target Stores, Inc. is a Minnesota corporation that caused an event to occur in Maricopa County, Arizona and is doing business in Maricopa County, Arizona.
3. Specifically, Defendant Target Stores, Inc. owned, possessed, operated, and managed the retail store premises commonly known as "Target" located at 1525 S. Power Rd. in Mesa, Maricopa County, Arizona on September 12, 2018.
4. The actions, omissions, and conduct giving rise to this cause of action occurred in Maricopa County, Arizona, and this Court has subject matter and

1 personal jurisdiction. Venue is appropriate in Maricopa County pursuant to A.R.S.  
2 §12-401.

3 5. Defendant Target Stores, Inc., as the owner, possessor, operator, and  
4 manager of the retail store premises commonly known as "Target" located at  
5 1525 South Power Road in Mesa, Maricopa County, Arizona on September 12,  
6 2018, had an affirmative duty to maintain the premises in reasonably safe  
7 condition as to invitees and delegation of that duty does not relieve Defendant  
8 from their affirmative duty.


9 6. On September 12, 2018, at Defendant Target Stores, Inc.'s retail  
10 premises commonly known as "Target" located at 1525 South Power Road in  
11 Mesa, Maricopa County, Arizona, Plaintiff Robert Griffith, a disabled man in a  
12 wheel chair, was injured as a direct and proximate result of an unreasonably  
13 dangerous condition, specifically an unstable dining room chair display stocked at  
14 the edge of an elevated merchandise shelf, as to which Defendant Target Stores,  
15 Inc. created, had actual or constructive notice, or was otherwise negligent in  
16 allowing to be present on the premises.

17 7. Specifically, on September 12, 2018, a dining room chair display fell  
18 from a merchandise shelf striking Plaintiff Robert Griffith in the back causing him  
19 to fall out of his wheelchair and onto the ground. As a result, Plaintiff sustained  
20 injuries including but not limited to right elbow injuries requiring surgical repair and  
21 right knee injuries.

22 8. Plaintiff has incurred health care expenses for treatment of the injuries  
23 caused by Defendant's negligence, and Plaintiff may continue to incur such  
24 expenses.  
25  
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WHEREFORE, Plaintiff requests judgment against Defendant for reasonable compensatory damages in excess of this Court's jurisdictional minimum, taxable costs, and all other appropriate relief.

  
Dr. Suresh C.

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CLERK OF THE SUPERIOR COURT  
K. NORTON  
DEPUTY CLERK

Sara Siesco (027803)  
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Attorneys for Plaintiff

**SUPERIOR COURT OF ARIZONA, MARICOPA COUNTY**

Robert Griffith, a single man;

NO.

CV2019-009929

Plaintiff;

**CERTIFICATE OF NON-COMPULSORY  
ARBITRATION**

v.

Target Stores, Inc., a Minnesota  
corporation;

(Tort; Non-Motor Vehicle)

Defendant.

The undersigned certifies the largest award sought by the Plaintiff, including punitive damages, but excluding interest, attorneys' fees and costs **does** exceed the limits set by Local Rule for compulsory arbitration, and certifies this case **is not** subject to compulsory arbitration as provided by Rules 72 through 76 of the Arizona Rules of Civil Procedure.

DATED this 4<sup>th</sup> day of September, 2019.**JONES | RACZKOWSKI PC**

A handwritten signature in dark ink, appearing to be "Sara Siesco", written over a horizontal line.

By Sara Siesco  
Adrienne R. Jones  
Attorneys for Plaintiff

1 Original filed; Copy hand-delivered  
2 this 4 day of September, 2019, to:

3 Court Administration  
4 **MARICOPA COUNTY SUPERIOR COURT**  
5 201 West Jefferson - 4<sup>th</sup> Floor  
6 Phoenix, Arizona 85003

7 By:  \_\_\_\_\_  
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1 Jefferson T. Collins, Bar #016428  
2 JONES, SKELTON & HOCHULI, P.L.C.  
3 40 North Central Avenue, Suite 2700  
4 Phoenix, Arizona 85004  
5 Telephone: (602) 263-7346  
6 Fax: (602) 200-7825  
7 jcollins@jshfirm.com  
8 minuteentries@jshfirm.com

9 Attorneys for Defendant Target Stores, Inc.

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**SUPERIOR COURT OF THE STATE OF ARIZONA**  
**COUNTY OF MARICOPA**

ROBERT GRIFFITH, a single man,

Plaintiff,

v.

TARGET STORES, INC., a Minnesota  
corporation,

Defendants.

NO. CV2019-008829

**DEFENDANT'S ANSWER TO  
PLAINTIFF'S COMPLAINT**

(Assigned to the Honorable Sherry Stephens)

Defendant Target Stores, Inc. ("Answering Defendant"), by and through undersigned counsel and for its Answer to Plaintiff's Complaint, admits, denies and alleges as follows:

1. Answering Defendant admits the allegations contained in paragraph 1 of Plaintiff's Complaint.

2. In response to paragraph 2 of Plaintiff's Complaint, this Answering Defendant admits that it is a Minnesota corporation doing business in Maricopa County, Arizona. This Answering Defendant denies the remaining allegations contained in paragraph 2 of Plaintiff's Complaint.

3. Answering Defendant admits the allegations contained in paragraph 3 of Plaintiff's Complaint.

1           4. In response to paragraph 4 of Plaintiff's Complaint, this Answering  
2 Defendant admits that this Court has subject matter personal jurisdiction and that venue is  
3 appropriate. This Answering Defendant denies the remaining allegations contained in paragraph  
4 4 of Plaintiff's Complaint.

5           5. In response to paragraph 5 of Plaintiff's Complaint this Answering  
6 Defendant admits that it owes its business invitees a duty to warn them of, or remedy,  
7 unreasonably dangerous conditions on the premises of which has notice. This Answering  
8 Defendant denies the remaining allegations contained in paragraph 5 of Plaintiff's Complaint.

9           6. In response to paragraph 6 of Plaintiff's Complaint, this Answering  
10 Defendant admits that Plaintiff was present on its premises at 1525 South Power Road in Mesa,  
11 Maricopa County, Arizona on September 12, 2018. This Answering Defendant denies the  
12 remaining allegations contained in paragraph 6 of Plaintiff's Complaint.

13           7. Answering Defendant denies the allegations contained in paragraph 7 of  
14 Plaintiff's Complaint.

15           8. Answering Defendant denies the allegations contained in paragraph 8 of  
16 Plaintiff's Complaint.

17           9. Answering Defendant denies the allegations contained in paragraph 9 of  
18 Plaintiff's Complaint.

19           10. Answering Defendant admits the allegations contained in paragraph 10 of  
20 Plaintiff's Complaint.

### 21                           **AFFIRMATIVE DEFENSES**

22           This Answering Defendant asserts the following affirmative defenses:

23           11. As and for a separate defense and in the alternative, this Answering  
24 Defendant alleges that the Complaint fails to state a claim upon which relief may be granted  
25 against this Answering Defendant.  
26

1           12. As and for a separate defense and in the alternative, this Answering  
2 Defendant alleges that Plaintiff was contributorily negligent and/or that any injuries received by  
3 Plaintiff was the result of an intervening/superseding cause or through the negligence of  
4 someone other than this Answering Defendant, all of which bars recovery to Plaintiff herein  
5 from this Answering Defendant.

6           13. As and for a separate defense and in the alternative, this Answering  
7 Defendant alleges that Plaintiff was negligent in whole or in part thereby reducing or eliminating  
8 any damage owing by this Answering Defendant by way of the doctrine of comparative  
9 negligence.

10           14. Although this Answering Defendant does not presently have specific facts  
11 in support of the remaining defenses, it wishes to put counsel for Plaintiff upon notice that they  
12 hereby raise the following defenses which, through subsequent discovery, may indeed be  
13 supported by the facts: assumption of risk, statute of limitations, insufficiency of process and  
14 insufficiency of service of process and failure to mitigate damages.

15           15. As and for a separate defense, and in the alternative, this Answering  
16 Defendant alleges that it did not have notice of the allegedly dangerous condition as set forth in  
17 Plaintiff's Complaint, thereby reducing or eliminating any assessment of fault against this  
18 Answering Defendant. Additionally, the incident was not the result of an unreasonably  
19 dangerous condition.

20           WHEREFORE, having fully answered the Complaint, this Answering Defendant  
21 requests that judgment be entered in its favor as follows:

- 22           1. Dismissing the Complaint;
- 23           2. Awarding this Answering Defendant its taxable costs; and
- 24           3. Awarding this Answering Defendant such other and further relief as this Court
- 25           deems just and proper.
- 26

1 DATED this 12th day of December 2019.

2 JONES, SKELTON & HOCHULI, P.L.C.

3  
4 By /s/ Jefferson T. Collins

5 Jefferson T. Collins  
6 40 North Central Avenue, Suite 2700  
7 Phoenix, Arizona 85004  
8 Attorneys for Defendant Target Stores, Inc.

9 ORIGINAL of the foregoing electronically filed  
10 this 12th day of December 2019.

11 COPY of the foregoing mailed/e-mailed  
12 this 12th day of December 2019, to:

13 Sara A. Siesco  
14 Adrienne R. Jones  
15 JONES I RACZKOWSKI PC  
16 2141 East Camelback Road, Suite 100  
17 Phoenix, Arizona 85016  
18 Attorneys for Plaintiff

19 /s/ Kathy Kleinschmidt  
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